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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 WILLIAM RANDOLPH,

9 *Plaintiff,*

10 vs.

11 SHERIFF GILLESPIE, *et al.*

12 *Defendants.*
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2:13-cv-00320-APG-PAL

ORDER

15 In this *pro se* civil rights action, plaintiff has not filed an amended complaint within the
16 time allowed by the prior screening order (#7). The order informed plaintiff that final judgment
17 would be entered without further advance notice if an amended complaint was not timely filed.
18 Plaintiff is not in custody. The prison mailbox rule therefore does not apply to render his
19 submissions timely by the date of mailing rather than the date of filing.

20 IT THEREFORE IS ORDERED that this action shall be DISMISSED without prejudice
21 for failure to state a claim upon which relief may be granted.

22 The Clerk of Court shall enter final judgment accordingly, dismissing this action without
23 prejudice.

24 DATED: July 2, 2013.

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27 ANDREW P. GORDON
28 United States District Judge